

AMENDED IN SENATE MAY 20, 2009

SENATE BILL

No. 550

Introduced by Senator Florez
(Coauthor: Senator Romero)

February 27, 2009

~~An act to add Part 5.5 (commencing with Section 111930) to Division 104 of the Health and Safety Code, relating to public health. An act to add Part 7.1 (commencing with Section 114450) to Division 104 of the Health and Safety Code, relating to food safety.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 550, as amended, Florez. Public health: food product recall technology.

Existing law requires a meat or poultry supplier, distributor, broker, or processor that sells a meat- or poultry-related product in California that meets the criteria for a Class I or Class II recall according to the United States Department of Agriculture guidelines to immediately notify the State Department of Public Health and to provide the department with a list of all customers, including a firm name, address, contact person's name, telephone number, fax, and e-mail address, that have received or will receive any product subject to recall that the supplier, distributor, broker, or processor has handled or anticipates handling.

This bill would require a grocery store ~~that uses a programmable checkout scanner~~ or grocery department, as defined, to ensure that when it is notified that a product is subject to a recall that applies to all products with the same Universal Product Code and a recalled product is scanned, the ~~programmable checkout scanner~~ store or department's point-of-sale system, as defined, will notify the employee

and ~~customer~~ consumer that the product being purchased is subject to a recall.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Part 7.1 (commencing with Section 114450) is
2 added to Division 104 of the Health and Safety Code, to read:

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4 PART 7.1 GROCERY STORE RECALL TECHNOLOGY
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6 114450. (a) A grocery store or grocery department that uses
7 a point-of-sale system and is informed that a product that the
8 grocery store or grocery department offers for sale is subject to a
9 recall that applies to all products with the same Universal Product
10 Code shall ensure that the point-of-sale system notifies the
11 employee and the consumer that the product is subject to a recall
12 when the product is scanned through the point-of-sale system.

13 (b) For purposes of this section:

14 (1) "Grocery department" means a food facility, as defined in
15 Section 113789, within a general retail merchandise store that is
16 engaged primarily in the retail sale of packaged food, instead of
17 food prepared for immediate consumption on or off the premises.

18 (2) "Grocery store" means a food facility, as defined in Section
19 113789, that is engaged primarily in the retail sale of packaged
20 food, instead of food prepared for immediate consumption on or
21 off the premises.

22 (3) "Point-of-sale system" means any computer or electronic
23 system used by a retail establishment such as, but not limited to,
24 Universal Product Code scanners, price lookup codes, or an
25 electronic price lookup system as a means for determining the
26 price of the item being purchased by a consumer.

27 ~~SECTION 1. Part 5.5 (commencing with Section 111930) is~~
28 ~~added to Division 104 of the Health and Safety Code, to read:~~
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30 ~~PART 5.5. FOOD PRODUCT RECALL TECHNOLOGY~~
31

32 ~~111930. A grocery store that uses a programmable checkout~~
33 ~~scanner shall ensure that when a recalled product is scanned, the~~

- 1 ~~programmable checkout scanner will notify the employee and~~
- 2 ~~customer that the product being purchased is subject to a recall.~~

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